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		Application I	Number	10/809,189	
TRANSMITT	<b>TAL</b>	Filing Date		03/25/2004	
FORM		First Named	Inventor	Mittmann, et	t.al.
		Art Unit		1638	
		Examiner N	ame	unknown	
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I hereby certify that this corresponding solution of the Service with sufficient postage Alexandria, VA 22313-1450 on the service of the Serv	e as first class má	ii in an envelop	itted to the USP be addressed to	TO or deposited : Commissioner	with the United States Poster for Patents, P.O. Box 1450,
Signature		nela '	Lean	<b>S</b>	
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### PATENT

Attorney Docket No.3101.2

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mittmann, et.al.

Serial No: 10/809,189

Filing Date: 03/25/04

Title: Methods of Genetics Analysis

Examiner: Unknown

Group Art Unit: 1638

INFORMATION DISCLOSURE

STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. In accordance with 37 CFR 1.98(d), copies of the references can be found in Application No. 09/396,196, filed on 09/15/99.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made, other than as described above; or (3) an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants believe that no fee is required for submission of this statement.

However, if an Office Action on the merits has been mailed, the Commissioner is hereby

authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated: 06/02/05

Respectfully submitted,

Customer No. 22886 Legal Department Affymetrix, Inc. 3380 Central Expressway Santa Clara, CA 95051

Tel: (408) 731-5000 Fax (408) 731-5392 Reg. No. 52,349

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	Application Number	10/809,189	
FORMATION DISCLOSURE	Filing Date	03/25/2004	
TATEMENT BY APPLICANT	First Named Inventor	Mittmann, et.al.	
IAILMENT BI ALL LIOTUL	Art Unit	1638	
(Use as many sheets as necessary)	Examiner Name	Unknown	

Attorney Docket Number

			U.S. PATENT	OCUMENTS	
Examinar	Cite	Document Number	Publication Date	Name of Palentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
tribals No.	Cite No.1	Number - Kind Codo <sup>2</sup> (if known)	MM-DD-YYYY		Figures Appear
	A1	US- 5,143,854	09-01-1992	Pirrung et al.	
	A2	US- 5.800,992	06-25-1996	Fodor et al.	
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		FOREIGN PA	TENT DOCU	MENTS		
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Substitute for form 1449A/PTO	Complete if Known		
	Application Number	10/809,189	
INFORMATION DISCLOSURE	Filing Date	03/25/2004	
STATEMENT BY APPLICANT	First Named Inventor	Mittmann, et al.	
	Art Unit	1638	
(Use as many aheets as necessary)	Examiner Name	Unknown	
Sheet 2 of 8	Attorney Docket Number	3101.2	

		NON PATENT LITERATURE DOCUMENTS	
Examiner	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T³
	C1 <sup>-</sup>	AFFYMETRIX: Addendum (U.S. and Canada) GeneChip® Arrays and Reagents, August. 1999.	
	C2	AFFYMETRIX: Affymetrix® Catalog Addendum GeneChip® Arrays and Reagents (U.S. and Canada), February, 2000.	
	cs	AFFYMETRIX: GeneChip® Arrays and Assays Product List, January, 1998.	
=	C4	AFFYMETRIX: GeneChip® Arrays and Assays Product List, November, 1998.	
	C5	AFFYMETRIX: GeneChip® Arrays and Reagents. February, 1999.	
	C6	AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), July, 1999.	
	C7	AFFYMETRIX: GeneChip® Assays and Controls Price List, November, 1997.	
	C6	AFFYMETRIX: GeneChip® Price Catalog (U.S. and Canada), January, 2000.	<u> </u>
	C9	AFFYMETRIX: Affymetrix® Product Catalog (Global), July, 2002.	
•	C10	AFFYMETRIX: Affymetrix® Product Catalog (Global), August, 2000.	
	C11	AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2001.	

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Applicant is unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO		Complete if Known
	Application Number	10/809,189
INFORMATION DISCLOSURE	Filing Date	03/25/2004
STATEMENT BY APPLICANT	First Named Inventor	Mittmann, et.al.
OTATEMENT PTTM : PIONE	Art Unit	1638
(Use as many sheets as necessary)	Examiner Name	Unknown
Sheet 3 of 8	Attorney Docket Number	3101.2

		NON PATENT LITERATURE DOCUMENTS	
Examiner	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
•	C12	AFFYMETRIX: Affymetrix® Product Catalog (Global), January, 2002.	
	C13	AFFYMETRIX: Product Information GeneChip® Human 35K Set, 1998.	
	C14	AFFYMETRIX: Product Information GeneChip® HuSNP Mapping Assay, 1999.	
	C15	AFFYMETRIX: Product Information GeneChip® GeneFlexTM Tag Array, 2000.	
	C16	AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 2000.	
	C17	AFFYMETRIX: Product Information GeneChip® HIV PRT Assay, 1997.	
	C18	AFFYMETRIX: Product information GeneChip® HIV PRT Pius, 1998.	
	C19	AFFYMETRIX: Product Information GeneChip® p53 Assay, 1997.	
	C20	AFFYMETRIX: Product information GeneChip® p53 Probe Array and Reagents. 1998.	
	C21	AFFYMETRIX: Product Information GeneChip® CYP450 Assay. 1997.	
	CSS	AFFYMETRIX: Product information GeneChip® CYP450 Probe Array and Reagents, 1998.	
	csa	AFFYMETRIX: Product Information GeneChip® Hu6B00 Array, 1998.	
	C24	AFFYMETRIX: Product Information Human Genome U95 Set, 2000.	

Examiner	Date
Signature	Considered

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Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

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PTO/\$B/08b(08-03)

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Substitute	Substitute for form 1449A/PTO			Complete if Known		
				Application Number	10/809,189	
INFO	RMATI	ON DIS	CLOSURE	Filing Date	03/25/2004	
	STATEMENT BY APPLICANT		First Named Inventor	Mittmann, et.al.		
OIA.	. <b>-</b> 1			Art Unit	1638	
	(Use as ma	ny sheets as	necessary)	Examiner Name	Unknown	
Sheet	4	of	8	Attorney Docket Number	3101.2	

		NON PATENT LITERATURE DOCUMENTS	7
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the Item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Τ²
	<b>C2</b> 5	AFFYMETRIX: Product information GeneChip® Human Genome Ul33 Set, 2001.	
	C28	AFFYMETRIX: Product Information GeneChip® Human Genome Focus Array, 2002.	
	C27	AFFYMETRIX: Product Information GeneChip® Human Cancer G110 Array, 1999.	
	C28	AFFYMETRIX: Product information Rat Neurobiology U34 Array, 2000.	
	C29	AFFYMETRIX: Product information GeneChip® Rat Genome U34 Array Set, 1999.	
	C30	AFFYMETRIX: Product information GeneChip® Test1, 1998.	
	C31	AFFYMETRIX: Product information GeneChip® Test2 Array, 1999.	
	C32	AFFYMETRIX: Product information GeneChip® Test3 Array, 2001.	
	СЗЗ	AFFYMETRIX: Product Information GeneChip® Yeast Genome S98 Array, 1999.	
	C34	AFFYMETRIX: Product information GeneChip® Mu6500 Set, 1998.	
-	C35	AFFYMETRIX: Product Information GeneChip® Murine Genome U74 Set, 2001.	

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Substitute for form 1449A/PTO		Complete if Known		
	Application Number	10/809,189		
INFORMATION DISCLOSU	RE Filing Date	03/25/2004		
STATEMENT BY APPLICA	T First Named Inventor	Mittmann, et.al.		
OTATEMENT DIVINITIES	Art Unit	1638		
(Use as many sheets as necessary)	Examiner Name	Unknown		
Sheet 5 of 8	Attorney Docket Number	3101.2		

		NON PATENT LITERATURE DOCUMENTS	
Examiner	Cite No.'	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	C36	AFFYMETRIX: Product Information GeneChip® Murine 11K Set 1998	
	C37	AFFYMETRIX: Product information GeneChip® Murine 11K Set, 2001.	
	C38	AFFYMETRIX: Product Information GeneChip® Murine 19K Set, 1998.	
	C39	AFFYMETRIX: Product Information Arabidopsis Genome Array 2001	
<del>,</del> ,	C40	AFFYMETRIX: Product Information GeneChip® Arabidopsis ATH1 Genome Array, 2002.	
	C41	AFFYMETRIX: Product information E. coil Genome Array, 2000.	
	Ç42	AFFYMETRIX: Product Information GeneChip® E. coil Antisense Genome Array, 2001.	
	C43	AFFYMETRIX: Product Information GeneChip® P. aeruginosa Genome Array 2001	
	C44	AFFYMETRIX: Product Information P. aeruginosa Genome Array, 2001.	
	C45	AFFYMETRIX: Product Information Drosophila Genome Array, 2000.	
	C46	AFFYMETRIX: Product Information GeneChip® B. subtilis Genome Array, 2002.	1

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Examiner		Date	
Signature		Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw tine through citation in not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (options). Applicant is to place a check mark here if English language Translation is attached.

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	Substitute	for form 1449A/PTO	0		Complete if Known		
					Application Number	10/809,189	
	INFO	<b>RMATION</b>	DIS	CLOSURE	Filing Date	03/25/2004	
				PPLICANT	First Named Inventor	Mittmann, et.al.	
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T	Sheet	6	of	8	Attorney Docket Number	3101.2	/

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials "	Çite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.). date, page(s), volume-issue number(s), publisher, city and/or country where published.	Τ²
	C47	AFFYMETRIX: Product Information GeneChip® C. elegans Genome Array, 2002.	
	C48	AFFYMETRIX: Product Information GeneChip® Custom Arrays, 1998.	
	C49	AFFYMETRIX: Product Information GeneChip® Custom Arrays, 2002.	
	C50	AFFYMETRIX: Product Information GeneChip® Ye6l00 Set, 1998.	
	C51	AFFYMETRIX, INC. Securities and Exchange Commission Filing S-3 filed on October 17, 1997, also available at <a href="http://www.sec.ctov/Archives/edgar/data/93077/0001047469-97-001100.txt">http://www.sec.ctov/Archives/edgar/data/93077/0001047469-97-001100.txt</a> .	
	C52	BAKAY, ET AL. "Sources of variability and effect of experimental approach on expression profiling data interpretation", 2002 34	
	C53	CARMEL, ET AL, "Gene expression profiling of acute spinal cord injury reveals spreading inflammatory signals and neuron loss", Pyhysiol Genomica 2001, 7:201-213.	
	C54	CHEE M. ET AL, "Accessing genetic information with high-density DNA arrays", Science, 1996, 274, 5287, 610-4.	
	C55	CHO RJ, ET AL, "Parallel analysis of genetic selections using whole genome oligonucleotide arrays", Proceedings of the National Academy of Sciences of the United States of America, 1998, 95, 7, 3752-7.	
	C56	CRONIN MT, ET AL, "Cystic fibrosis mutation detection by hybridization to light-generated DNA probe arrays", Human Mutation, 1996, 7, 3, 244-55.	
•	C57	DE SAIZIEU A, ET AL, "Bacterial transcript imaging by hybridization of total RNA to oligonucleotide arrays#, Nature Biotechnology, 1998, 16,1,45-8.	

Examiner	Date	
Signature	Considered	

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Substitute	for form 144	9A/PTQ		Complete if Клоwп		
				Application Number	10/809,189	
INFO	RMATI	ON DIS	CLOSURE	Filing Date	03/25/2004	
STATEMENT BY APPLICANT				First Named Inventor	Mittmann, et.al.	
UIA		. –		Art Unit	1638	
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Sheet	7	of	8	Altomey Docket Number	3101.2	
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STATEMENT BY APPLICANT	First Named Inventor	Mittmann, et.al.	
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